

WHAT HAINS SERVANTS SAW

MUCH RAPPING FOR ORDER WHEN THEY TESTIFY.

The Negroes Tell a Long Story Glibly and in a Confident and Coherent Manner—Another Describes Her Favored Employer—Army Men Also on Stand.

High life below stairs contributed several representatives to testify at yesterday's session of the trial of Capt. Peter Hains, Jr., in the Supreme Court at Flushing. Three negro servants who had been employed in the Hains household at Fort Hamilton in the time that the army officer was absent in the Philippines took the stand to tell of the things they had heard through doors ajar or had seen through cracks, a boss carpenter from Fort Hancock added his willing mite of testimony and several non-commissioned officers of both posts gave evidence favorable to the defense.

The incursion of the kitchen brigade was attended by much rapping on the part of the lawyers. The judicial dignity of the case, a strain on the judicial dignity of the Court and repeated raps for order on the part of the court officers. John F. McIntyre, for the defense, uncaged a vision in the dark person of Lillie Sawyer, and when he had turned off the flow of her direct testimony he left an embarrassed District Attorney to deal with her.

Lillie had not been a witness at the trial of Thornton Jenkins Hains, as were Emma Lavelle and Minnie Röhne, the other colored maids. She admitted on cross-examination that John Hains, who was one of the counsel for the defense of Thornton Hains, had discovered her last December.

Lillie took the stand with confidence, and as the barest suggestion of a query by McIntyre she launched forth into a fifteen minute narrative of all that she had seen and heard between Emma Lavelle and William E. Adams at Capt. Hains' home in his absence. Breathlessly and with a confidence that indicated that Lillie's chart of character was as white as her namesake, the most intimately scandalous details of the case were set forth. When she had finished Lillie beamed upon McIntyre and the jury.

The minute that District Attorney De Witt took the former maid in the army post in hand she tried to convey her opinion of him by a string of adjectives, of gibberish and carefully mispronounced words. De Witt tried to have the witness detail more fully the circumstances of the interview with the defendant, but Lillie, the housemaid of his brother Thornton last June.

"Where was Emma, the cook, when you were telling the defendant all of this tale?" De Witt's query.

"Emma was a-settin' down," came the answer with great dignity.

"And you?"

"Humph! I was a-settin' down of course."

"Which side of the table were you sitting down at?"

"I was a-settin' down at a round table," she triumphantly replied. "Sheerly, I was a-settin' down at a round table."

The witness had said in her direct evidence that while she was telling her story of Mrs. Hains' indiscretions to the Captain he had put his hand on her shoulder and had that characteristic "glassy stare" about which McIntyre has been so anxious to learn from all of the witnesses for the defense.

"What did you say to the Captain when you first began to talk to him?" was one of De Witt's first questions.

"I says to him 'See here, Captain, what did you say to him then?'"

"I says '—set down!' was the reply of the brunette Lillie."

Minnie Röhne, who is hardly of the advanced type of Lillie, but a quiet spoken, conscientious old Maryland negress, had to confess that once she had been eavesdropping, she said on the direct examination that on the night that Capt. Hains charged his wife with having been unfaithful to him she was in her bed in a room just off that occupied by Mrs. Hains. She heard all that was said, she grew so interested after an hour's listening that she put on her wrapper and stole down to the open door of the bedroom and there she remained till 12 o'clock, until, as she put it, "the Captain's voice began to get wild."

"Did you look at your clock to see what time it was when you got up and went down the hall?" queried the District Attorney.

"No, sir, I was so interested in the conversation that I didn't stop to look at no clock, sir."

"Well, didn't you fix the time at which you got up by looking at your clock?"

"My clock he said was fixed, sir; I didn't have to fix the time."

Emma Lavelle's testimony was in line with that of the other two negroes, save that she went into more unprintable details.

Frederick Linden of Atlantic Highlands, who is boss carpenter at Fort Hancock, was another of McIntyre's unclassified testimony givers. He said that he had been called in to do some work on the dresser and chair in the room where the Hains couple were living.

"He looked to me like a crazy man," said the boss carpenter in describing Capt. Hains' aspect on a certain day. The Court promptly advised him that he should not characterize, but specify.

"Well, he looked like a mad man, then," ventured the dogged carpenter, and the Court ruled that that was not a specification.

"The plumber says to me—" began Mr. Linden in another context.

"We don't want to hear that the plumber said; the plumber is not a defendant in this case," admonished the Court.

"What I was going to say was that—" "But you are not going to say it," Justice Garrison commanded with emphasis. "That the Captain had been and was on the dresser and chair in the room where the Hains couple were living."

Men, Young Men—

Your appearance is at stake without correct style and fit in your Spring Suit.

We handle only the best run of shades and mixtures, and whether you place your price at \$15, \$18, \$20, \$22 or \$25 we'll show you something out of the common.

The rest of our prices go to \$40, if you want finer fabrics.

Hackett, Carhart & Co.

265 Broadway, near Chambers Street. 841 Broadway, at 13th Street.

POLICEMAN UP FOR HOMICIDE

BOY HE SHOT DIES—STORIES ABOUT PETTY GRAFTING.

Other Policemen Stick Up for Dillon's Contentment That Shooting Was Accidental, but Part of the Boy's Antemortem Statement is Substantiated.

Policeman James Dillon of the Adams street precinct, Brooklyn, was arraigned before Magistrate Dooley in the Adams street court yesterday on a charge of homicide following the death in the Brooklyn Hospital at 5:30 o'clock yesterday morning of Louis Prober, the nineteen-year-old boy whom he shot on Sunday in the grocery store of the lad's father at 217 Myrtle avenue. He was held without bail to await the action of the Coroner and will be arraigned in two weeks.

The police seem to think that Dillon was blameless in the matter; so much so that Magistrate Dooley refused to let Capt. William F. Fennelly of the precinct make the complaint against the policeman on homicide grounds. The District Attorney and Gussie Prober, the boy's mother, Mrs. Prober faintly when she saw Dillon, but revived quickly and was able to give a pretty clear account of the shooting as she saw it and one that would warrant the Magistrate in holding Dillon on a homicide charge.

Capt. Fennelly had undertaken to make the complaint one of homicide. But there wasn't any such charge on the paper when he got through, just an account of an accidental shooting, so Complaint Clerk Donnelly took the papers to the Magistrate.

In the meantime Dillon was making complaints against Isaac Prober, the father, charging him with violating the Sunday law and interfering with an officer; against the dead boy's mother and against his twelve-year-old brother Max. Deputy Commissioner Hanson arrived at about that time and said that he didn't think the making of such trivial complaints against the bereaved was in good taste. Magistrate Dooley agreed with him, and it was finally decided to drop them, or at least postpone them until former Assistant Corporation Counsel Dillon could appear for his clients and Dillon's case had been disposed of.

Dillon told practically the same story that he told after the shooting, that he went into the store to arrest the proprietor for violating the Sabbath laws, that the two sons and their mother attacked him, the latter with a cheese knife that he drew his revolver to frighten off his assailants and it was accidentally discharged in the tussle that ensued. The police of the Adams street precinct seem to give this version of the case as the correct one.

Not so several eyewitnesses to the shooting. Sadie Altman, a twelve-year-old girl of 24 Myrtle avenue, says that Dillon went into the store to arrest the proprietor for violating the Sabbath laws, that the two sons and their mother attacked him, the latter with a cheese knife that he drew his revolver to frighten off his assailants and it was accidentally discharged in the tussle that ensued. The police of the Adams street precinct seem to give this version of the case as the correct one.

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Special May Sale

We have made arrangements to hold during the first two weeks of May a very important Sale of Housekeeping Linens, Bed Coverings, Lingerie, etc., at exceptionally low prices.

Table Linen

We have secured for this Sale from two Irish manufacturers, about

1,000 Table Cloths and 750 doz. Napkins

A very reliable lot of goods of medium quality, in an unusually desirable assortment of patterns. We offer these at about

One-third less than regular prices

Napkins (per dozen)

Dinner size, at	\$4.50	4.75	6.50	7.25	8.00	8.50	9.00	10.25
Regular price	6.00	7.00	9.50	10.50	12.00	12.75	13.50	15.50

Table Cloths (each)

2 x 2 yards, at	\$2.50	2.75	3.00	3.50	3.75	4.25	4.75
Regular price	3.75	4.00	4.50	5.25	5.50	6.50	7.00
2 x 2 1/2 yards, at	\$3.00	3.50	3.75	4.50	4.75	5.25	6.00
Regular price	4.50	5.25	5.50	6.75	7.00	7.50	9.00
2 x 3 yards, at	\$3.50	4.25	4.75	5.25	5.50	5.75	6.25
Regular price	5.25	6.00	7.00	7.75	8.25	8.50	9.25
2 1/2 x 3 yards, at	\$5.25	6.00	6.25	7.25	7.75	8.00	
Regular price	7.75	9.00	9.25	11.00	11.50	12.00	

Larger sizes proportionately priced.

The Sale also includes Tea Napkins, Toilet and Bath Towels, Bed Linens, Bed Coverings, as well as an unusually complete assortment of French and Domestic Lingerie at greatly reduced prices. 16-page folder, giving prices and details, mailed free.

James McCutcheon & Co.

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This is where most collars go first.

This is where an ARROW COLLAR goes last, because it has the graduated cut-out.

Special Sale of 300 Pieces of the finest imported woolsens. All new and up-to-date. We bought them at half price; they're yours at half price. Suit or Overcoat, to measure, \$25. Coat and Trousers, \$21. Send for samples and see the wonderful values.

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Broadway & Ninth St.

Special Sale of 300 Pieces of the finest imported woolsens. All new and up-to-date. We bought them at half price; they're yours at half price. Suit or Overcoat, to measure, \$25. Coat and Trousers, \$21. Send for samples and see the wonderful values.

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An Easy Fit

If you want a coat with plenty of room across the chest and ample sleeve room you'll find it in our new models for 1909.

Athletic in appearance but without the padded exaggerated shoulders.

A sensible garment, cut in the latest style.

Sack Suits, \$15 to \$45.

If you are thinking of having some Shirts made, our Custom Shirt Department is prepared with the newest designs in domestic and imported shirtings.

Browning King & Company

Broadway at 32nd Street

Some folks think chauffeurs' breeches are just like riding breeches.

Not at all—

We have quantities of them in stock—chauffeurs' breeches, gentlemen's riding breeches, grooms' breeches—each kind cut in its special style.

We just received an anonymous letter complaining of lack of care in fitting our clothes.

Why anonymous, we can't understand—unless the writer just wants to plague us with the idea that we've one dissatisfied customer whom we can't possibly get at to satisfy.

ROGERS PEET & COMPANY,

Three Broadway Stores.

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Warren St. 13th St. 34th St.

AMUSEMENTS.

EMPIRE Theatre, 40th St. E. 8th. Mat. Wed. & Sat. at 2:15. MAUDE ADAMS in WHAT EVERY WOMAN KNOWS. Seats now for the balance of engagement.

THEATRE 44th St. E. 8th. Mat. Wed. & Sat. at 2:15. THE CANDY SHOP by Geo. V. Hobart & J. L. Golden.

CRITERION Theatre, 44th St. E. 8th. Mat. Wed. & Sat. at 2:15. ELISIE JANIS FAIR CO-ED.

SAVOY Theatre, 44th St. E. 8th. Mat. Wed. & Sat. at 2:15. NETHERSOLE ON THE WALL.

GARRICK Theatre, 44th St. E. 8th. Mat. Wed. & Sat. at 2:15. W. M. COLLIER THE WAY FROM HERE.

LYCEUM Theatre, 44th St. E. 8th. Mat. Wed. & Sat. at 2:15. LYCEUM THE DAWN OF A NEW DAY.

RODSON Theatre, 44th St. E. 8th. Mat. Wed. & Sat. at 2:15. THE THIRD DEGREE.

NEW AMSTERDAM THEATRE, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. J. E. DODSON THE HOUSE OF THE DEAD.

LIBERTY Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. FREDERICK HILLIARD In Porter Emerson Brown's Play, "A Fool There Was" A Starring Drama of Things as They Are.

CIRCLE Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE QUEEN OF MOULIN ROUGE.

WALLACK'S Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. GRACE GEORGE.

BIJOU Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. A GENTLEMAN FROM MISSISSIPPI.

ACADEMY OF MUSIC, 14th St. E. 8th. Mat. Wed. & Sat. at 2:15. MR. MANTLE AND JULIET.

THE BELASCO Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. DAVID BELASCO IN EUGENE O'NEILL'S "THE GLASS MENAGERIE".

FRANCES STARR EASIEST PLAY THEATRE.

THEATRE 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. BELASCO THEATRE, West 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE MEASURES OF A MAN.

ASTOR Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE SUCCESS OF THE CENTURY.

JOE WEBER'S Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE GIRL FROM RECTOR'S.

PLAZA MUSIC HALL, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE GIRL FROM RECTOR'S.

AMERICAN WEST 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. MAUDE ODELL, KARL L. BARNARD, BERNARD.

KEITH & PROCTOR'S, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE GIRL FROM RECTOR'S.

HAMMERSTEIN'S, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE GIRL FROM RECTOR'S.

COLONIAL Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE GIRL FROM RECTOR'S.

ALHAMBRA Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE GIRL FROM RECTOR'S.

EDEN Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE GIRL FROM RECTOR'S.

MURRAY Hill Theatre, 42nd St. E. 8th. Mat. Wed. & Sat. at 2:15. THE GIRL FROM RECTOR'S.

ONLY THIS WEEK AND NEXT AT THE GARDEN

THE GREAT FAR EAST

ROSSI'S ELEPHANTS

CHINESE DANCERS

AUSTRALIAN BUSHMEN

ORIENTAL WONDERS

THE GREAT FAR EAST

ROSSI'S ELEPHANTS

CHINESE DANCERS

AUSTRALIAN BUSHMEN

ORIENTAL WONDERS

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CHINESE DANCERS

AUSTRALIAN BUSHMEN

ORIENTAL WONDERS

THE GREAT FAR EAST

ROSSI'S ELEPHANTS

CHINESE DANCERS

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THE GREAT FAR EAST

ROSSI'S ELEPHANTS

CHINE